



FEDERAL ELECTION COMMISSION
Washington, DC 20463

DISSENTING OPINION IN ADVISORY OPINION 1982-19

of

COMMISSIONER THOMAS E. HARRIS

I would not be opposed to permitting a testing-the-waters committee to receive what would otherwise be prohibited contributions if the testing the waters exemption were read narrowly as was originally intended when the, relevant regulation was first adopted. However, the Commission's recent expansive interpretation of what constitutes a testing-the-waters activity (Advisory Opinion 1982-3), combined with Advisory Opinion 1982-19, will permit wealthy individuals, corporations, labor organizations, and I assume, even foreign nationals, to provide the seed money for setting up a campaign organization.

As in my dissent to Advisory Opinion 1982-3, I take issue with the idea that Advisory Groups, organized to give advice on policy, have anything to do with determining political support for a potential candidacy, as the definition of testing-the-waters should require.

So long as the testing-the-waters exemption is read so broadly as to include ordinary campaign expenditures, I cannot go along with removing all of the Act's prohibitions on the sources of funds for such expenditures.